APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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TM02/0813

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Commissioner of Patents and Trademarks

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 21

Application Number: 08/942,264
Filing Date: October 01, 1997
Appellant(s): BOUCHER ET AL.

Alberta A. Vitale, Reg. No. 41,520

For Appellant

MAILED
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Technology Center 2100

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed on July 04, 2001.

(1)   Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2)   Related Appeals and Interferences

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3)   Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4)   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5)   Summary of Invention

The summary of invention contained in the brief is correct.

(6)   Issues

The appellant's statement of the issues in the brief is substantially correct.

(7)   Grouping of Claims

The rejection of claims 1-10 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,293,310	Caroll et al.	3-1994
6,047,267	Owens et al.	4-2000

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carroll et al. (Carroll) U.S. Patent No. 5,293,310, in view of Owens et al. (Owens) U.S. Patent No. 6,047,267. This rejection is set forth in prior Office Action, Paper No. 11.

(11) Response to Argument

Applicant is reminded that the features of uploading a set of data from the client system to the host system, and determining which data is to be updated at the host system, that Applicant are relied on (see specification under "Summary of the

Invention", page 8 lines 20 to page 9, lines 2), are not addressed in the independent

claim 6.

Examiner believes Carroll's process is the same as the process of Appellant's

claims (see the details in the Office Action paper #11), with the exception that Carroll's

system of does not explicitly put the system into the object-oriented environment.

However, The Owens reference can make up for the Carroll's deficit, because both

Carroll and Owens teach the same functionality of rating and updating data within a

client –server system environment (see both references' abstracts; fig. 1 of Carroll, and

fig. 4-6 of Owens). Owens teaches mapping data that is represented in transient

memory according to an object-oriented scheme to data that is represented in persistent

memory according to a relational database scheme. The object server generates

appropriate tables and columns for a relational database scheme automatically so that

the object-oriented scheme generated by a user may be efficiently stored, updated, and

searched in persistent memory [see fig. 5, 6].

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

August 08, 2001

Examiner: Thuy Pardo

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